

REMARKS

Reconsideration and allowance of this application are respectfully requested.

In the Office Action, dated June 21, 2004, the Examiner, although stating that the Exhibits filed with the previous response, dated April 7, 2004, support the claim language, rejected claims 1-21 by invoking an objection as to the format of the Rule 131 Declaration filed on April 7, 2004. Specifically, the Examiner stated that the Declaration failed to incorporate the mapping of limitations that were presented in the attorney Remarks also filed on April 7, 2004.

By this response, the Applicants have incorporated the mapping of the limitations into a Supplemental Declaration under 37 C.F.R. §1.131, filed with this response, complying with the formal requirements under MPEP §715.04.

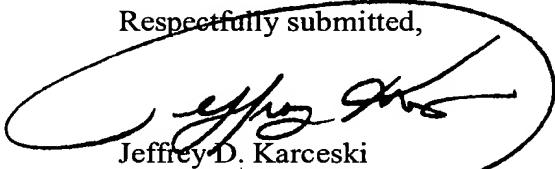
As stated in the Office Action, “the mappings presented by the applicant … would demonstrate evidence of conception and diligence, as required, to overcome the Fishman U.S. Patent 6,112,133.” Therefore, by filing the Rule 131 Supplemental Declaration, the Applicants believe that the Fishman reference is overcome. Therefore, the Applicants respectfully request that rejections of claim 1-21 based on Fishman be withdrawn.

With regard Yamazaki et al. U.S. Patent 6,401,004, the Applicants reiterate their position, as argued in both the responses dated July 14, 2003 and April 7, 2004, that Yamazaki does not qualify as a prior art reference. This is because both Yamazaki’s U.S. Patent filing date (July 2, 1998) and the publication date of Yamazaki’s base PCT application (May 14, 1998) are later than the March 24, 1998 priority date for the present application. The Applicants do not believe that it is necessary to antedate Yamazaki et al. using the Rule 131 Supplemental Declaration. In addition, during the phone conference between the representatives of the Applicants and the Examiner in October 22, 2003, it was agreed that the Examiner’s rejection based on Yamazaki was incorrect because the 102(e) date of Yamazaki is July 2, 1998, which is after the priority date of the present invention. This is in conflict with the Examiner’s position in the present Office Action, where the Examiner maintained his rejection of claims 1, 13, and 21 over Yamazaki et al. It is the Applicants’ interpretation that the rejections maintained based on

Yamazaki are due to oversight and Yamazaki is not a prior art reference. Therefore, the Applicants respectfully request that rejections of claim 1-21 based on Yamazaki be withdrawn.

In view of the above, the rejections of Claims 1-21 based on either Fishman or Yamazaki are moot, and withdrawal of the outstanding rejections is respectfully requested. If there are any questions, please contact the undersigned attorney for applicant.

Respectfully submitted,



Jeffrey D. Karceski
Reg. No. 35,914
Telephone: (703) 905-2110

PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
Telephone: 703.905.2000
Facsimile: 703.905.2500

JDK/QCH:mll